

89022

# GENERAL STATUTES OF MINNESOTA

## SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES  
AND OTHER LAWS OF A GENERAL AND PERMANENT  
NATURE, ENACTED BY THE LEGISLATURE  
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

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1918

[8521—]6. **Same—Officers who may arrest**—Any police or peace officer of this state, or any regularly commissioned officer in the army or navy of the United States or of the national guard or organized militia of the state of Minnesota is hereby authorized to summarily arrest any person violating any provisions of this act. ('17 c. 463 § 6)

[8521—]7. **Subjects of nation at war with United States forbidden to have fire arms, explosives, etc.**—It shall be unlawful for any citizen or subject of any nation, with which the United States is at war, and who has not declared his intention to become a citizen of the United States, to have in his possession or under his control any firearms of any kind or nature whatsoever, or any explosives of any kind or nature whatsoever, or the necessary ingredients of any explosives from which explosives could be manufactured. Provided, however, that any person, having in his possession or in his control any such forbidden article shall have five (5) days from and after the passage of this act to dispose of the same. ('17 c. 435 § 1)

See §§ [8809—]1, [8809—]2.

[8521—]8. **Same—Gross misdemeanor**—Any person violating any provision of this act shall be guilty of gross misdemeanor and shall be punished by a fine of not less than one hundred dollars, (\$100.00) nor more than five hundred dollars, (\$500.00), or by imprisonment in any county jail in this state for not less than sixty (60) days nor more than one year, or by both. ('17 c. 435 § 2)

[8521—]9. **Same—Arrests**—Any police officer of this state is hereby authorized to summarily arrest any person violating any of the provisions of this act. ('17 c. 435 § 3)

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## CHAPTER 96

### CRIMES AGAINST PUBLIC JUSTICE

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#### BRIBERY AND CORRUPTION

8526. **Asking or receiving bribes—**

Cited (134-26, 158+790).

8538. **Interfering with public officers—**

Evidence held to sustain a conviction of resisting an officer in the performance of his duty (135-211, 160+666). Obstructing Justice, Ⓒ16.

#### PERJURY AND OTHER CRIMES

8576. **Resisting public officer—**

Where the offense of which defendant was charged was clearly embraced in § 8538, it was proper to refuse to charge on simple misdemeanor under this section (135-211, 160+666).

8582. **Criminal contempts—**

Criminal contempt defined (see 128-153, 150+383). Contempt, Ⓒ3.

[8596—]1. **Criminal syndicalism defined—Advocacy of, felony**—Criminal syndicalism is hereby defined as the doctrine which advocates crime, sabotage, (this word as used in this bill meaning malicious damage or injury to the property of an employer by an employé) violence or other unlawful methods of terrorism as a means of accomplishing industrial or political ends. The advocacy of such doctrine, whether by word of mouth or writing is a felony punishable as in this act otherwise provided. ('17 c. 215 § 1)

[8596—]2. **Same—Teaching or advocating syndicalism, felony**—Any person who by word of mouth or writing, advocates or teaches the duty, necessity or propriety of crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political ends, or prints,

publishes, edits, issues or knowingly circulates, sells, distributes or publicly displays any book, paper, document or written matter in any form, containing or advocating, advising or teaching the doctrine that industrial or political ends should be brought about by crime, sabotage, violence or other unlawful methods of terrorism; or openly, wilfully and deliberately justifies by word of mouth or writing, the commission or the attempt to commit crime, sabotage, violence or other unlawful methods of terrorism with intent to exemplify, spread or advocate the propriety of the doctrines of criminal syndicalism, or organizes or helps to organize or becomes a member or voluntarily assembles with any society, group or assemblage of persons formed to teach or advocate the doctrine of criminal syndicalism, is guilty of a felony and punishable by imprisonment in the state prison for not more than five years or by a fine of not more than one thousand dollars or both. ('17 c. 215 § 2)

[8596—]3. **Same—Assembling for purpose of advocating, etc., felony—** Wherever two or more persons assemble for the purpose of advocating or teaching the doctrines of criminal syndicalism defined in this act, such an assemblage is unlawful and every person voluntarily participating therein by his presence, aid or instigation is guilty of a felony and punishable by imprisonment in the state prison for not more than 10 years or by a fine of not more than \$5,000.00 or both. ('17 c. 215 § 3)

[8596—]4. **Owner, etc., of building permitting assemblage guilty of gross misdemeanor—**The owner, agent, superintendent, or occupant of any place, building or rooms who wilfully and knowingly permits therein any assemblage of persons prohibited by the provisions of section 3 of this act [8596—3], or who, after notification that the premises are so used, permits such use to be continued, is guilty of a gross misdemeanor and punishable by imprisonment in the county jail for not more than one year or by a fine of not more than \$500.00 or both. ('17 c. 215 § 4)

## CHAPTER 97

### CRIMES AGAINST THE PERSON

#### HOMICIDE

##### 8601. Defined and classified—

Cited (123-276, 143+782).

##### 8602. Proof of death, and of killing by defendant—

Evidence held not to leave it to conjecture and speculation as to the cause of the death of decedent (123-487, 144+216). Homicide, Ⓒ236(1).

Evidence held sufficient to establish the corpus delicti, and that death resulted from the wounds inflicted (123-276, 143+782). Homicide, Ⓒ228(4).

##### 8603. Murder in first degree—

Evidence held to sustain conviction of murder in the first degree (135-159, 160+677). Homicide, Ⓒ253(1).

Evidence held sufficient to show that decedent's death resulted from poison, but insufficient to show that it was administered by defendant (135-200, 160+491). Homicide, Ⓒ234(1).

##### 8606. Murder in third degree—

Cited in dissenting opinion (131-427, 155+399).

##### 8610. Killing of unborn child or mother—

Evidence held to support a conviction under this section (134-384, 159+829). Homicide, Ⓒ250.

Evidence held to support a conviction of manslaughter resulting from the commission of an abortion on a pregnant woman (131-252, 154+1083, L. R. A. 1916C, 566). Homicide, Ⓒ250.

Evidence held to sustain a conviction under this section (122-91, 141+1113). Homicide, Ⓒ255.